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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)

Lloyd Marks et al)

Application No. 10/673,328)

Filed September 30, 2003)

For: SIGNAL AVERAGING USING GATING)
SIGNAL OBTAINED FROM AUTO-)
CORRELATION OF INPUT SIGNALS)

Examiner: Unassigned

Art Unit: 3737

Atty. Docket No.: 117622-00103

Confirmation No.: 2261

Date: May 4, 2005

Commissioner of Patents
P.O. Box 1450
Alexandria, VA. 22313

NOTIFICATION OF PENDING RELATED APPLICATION

Sir:

The following co-pending application discloses and claims subject matter that is related to the subject matter disclosed and claimed in the present application:

U.S. Patent Application No. 10/392,308, filed March 20, 2003, entitled "Peripheral Impedance Plethysmography Electrode and System With Detection of Electrode Spacing."

Applicants respectfully request that the above-cited related application be considered and made of record in the examination of the present application.

If any outstanding issues can be resolved most quickly through a telephone communication, the Examiner is invited to telephone the undersigned, so that prosecution of the present application may be expedited.

Respectfully submitted,

Lloyd Marks, et al.

By: 

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Llyod Marks, et al.

Serial No: 10/673,328

Filed: September 30, 2003

For: SIGNAL AVERAGING USING GATING SIGNAL OBTAINED FROM AUTOCORRELATION OF INPUT SIGNALS

GAU: 3737

Confirmation No. 2261

Examiner: UNASSIGNED

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO/SB/08 (substitute for PTO-1449). Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a copy of applicant's pending application(s) or issued patent(s) which may be related to the present application. These documents are listed on form PTO/SB/08 (substitute for PTO-1449), also attached.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in any counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.
- ☐ This Information Disclosure Statement is being filed within three months of the filing date of the subject patent application.
- ☒ This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits.

PETITION

- ☐ Applicant(s) hereby request consideration of the attached information. A check is attached in the amount of the Petition fee required under 37 CFR §1.17(i)(1).

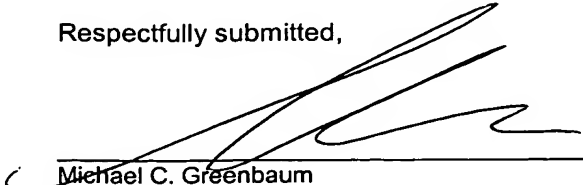
DEPOSIT ACCOUNT

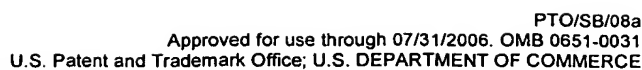
- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 23-2185. A duplicate copy of this sheet is enclosed.

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Date: May 4, 2005

Respectfully submitted,


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Substitute for form 1449A/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number	10/673,328
Filing Date	September 30, 2003
First Named Inventor	Lloyd Marks, et al.
Art Unit	3737
Examiner Name	Unassigned
Attorney Docket Number	117622-00103

Sheet

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of

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Attorney Docket Number

117622-00103

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.